

REMARKS

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to a Non-Final Office Action mailed on December 16, 2004. Claims 1-50 are rejected. In this amendment, claims 1, 9, 10, 12, 17-23, 25-28, 31-35, 37, 39, 44-48 and 50 have been amended. No new matter has been added.

The Examiner rejected claims 1-8, 12-14, 21, 23, 25, 29, 31-32, 36-37, 39-43, 48 and 50 under 35 U.S.C. §102(e) as being anticipated by Balma, et al. (U.S. Patent No. 6,175,945, hereinafter “Balma”). Claims 10, 18, 27, 34 and 45 are rejected under 35 U.S.C. §103(a) as being unpatentable over Balma and Tucciarone, et al. (U.S. Patent Application No. 2003/0009385, hereinafter “Tucciarone”). Claims 11, 24, 30, 38 and 49 are rejected under 35 U.S.C. §103(a) as being unpatentable over Balma and Gifford, et al. (U.S. Patent Application No. 2002/0131561, hereinafter “Gifford”). Claims 9, 17, 20, 22, 26, 33, 44 and 47 are rejected under 35 U.S.C. §103(a) as being unpatentable over Balma and Horstmann, et al. (U.S. Patent No. 6,779,022, hereinafter “Horstmann”). Claims 19, 28, 35 and 46 are rejected under 35 U.S.C. §103(a) as being unpatentable over Balma, Horstmann, and Tucciarone. As discussed below, the pending claims are patentable over the above references.

Balma discloses a mechanism for routing or forwarding communications to a user. Balma determines the current location of the user based on a computerized scheduler or calendar and an indication that the user has arrived at a predefined location (checking into a hotel by the user). Once the location is determined, Balma accesses the user profile to determine the preferred mode of communication at this location, and sends communications to the user via the preferred mode of communications.

Accordingly, Balma teaches determining the current location of the user and sending communications to a specified device at this location. However, Balma does not teach or

suggest determining whether the specified device is currently online, much less doing so for a plurality of devices associated with a user. The presently claimed invention, in contrast, determines automatically which of the user's devices are currently online and then sends a notification message for the user to one of the devices that are currently online in response to a trigger event. Hence, Balma does not teach or suggest the features of the present invention that are included in the following language of claim 1:

... determining automatically which of a plurality of devices associated with a user, if any, are currently online; and

sending a notification message for the user to one of the devices which were determined to be currently online, in response to a predefined trigger event, said one of the devices having been selected based on a profile of the user.

Similar features are also included in the language of claims 12, 19, 25, 31, 39 and 50. Thus, claims 1, 12, 19, 25, 31, 39 and 50, and their corresponding dependent claims are patentable over Balma.

Tucciarone discloses an on-request service precluding unwanted solicitations of electronic messages. Tucciarone allows the user to request information in desired categories and customize each request for the amount of desired information and other specified preferences. Tucciarone does not teach or suggest automatically determining which of a plurality of the user's devices are currently online and then sending a notification message for the user to one of the devices that are currently online in response to a trigger event. Hence, Tucciarone lacks the same features that are missing from Balmi.

Gifford discloses a system for providing unified message services to a subscriber. When a new email message arrives for a subscriber, Gifford converts this message to a mode selected by the subscriber (e.g., audio or fax) and sends it to the subscriber. Gifford does not teach or suggest automatically determining which of a plurality of the user's devices are

currently online and then sending a notification message for the user to one of the devices that are currently online in response to a trigger event. Hence, Gifford lacks the same features that are missing from Balma and Tucciarone.

Horstmann discloses a mail server that collects messages from several user accounts and presents them to the user from a single location. Hortsmann does not teach or suggest automatically determining which of a plurality of the user's devices are currently online and then sending a notification message for the user to one of the devices that are currently online in response to a trigger event. Hence, Hortsmann lacks the same features that are missing from Balma, Tucciarone, and Gifford.

Accordingly, Balma, Tucciarone, Gifford and Hortsmann, taken alone or in combination, do not teach or suggest the present invention as claimed in claims 1, 12, 19, 25, 31, 39 and 50, and their corresponding dependent claims.

Thus, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and 103(a) and submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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